

**IN THE UNITED STATES DISTRICT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** ) CLASS ACTION  
**BUDEPRION XL MARKETING AND** )  
**SALES PRACTICES LITIGATION** ) 2:09-CV-2811 (Lead Case)  
(MDL 2107) )  
 )  
 )

**PLAINTIFF'S MOTION FOR VOLUNTARY DISMISSAL PURSUANT TO RULE 41(a)**

**TO THE COURT, ALL OF THE PARTIES AND THEIR COUNSEL OF RECORD:**

Now into Court, through undersigned counsel, comes Plaintiff Michelle Hicks, who pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i), seeks the dismissal of *Hicks, et al. v. Teva Pharmaceuticals Industries, Ltd, et al.*, Case No. CJ-09-263, filed in the District Court in and for Mays County, State of Oklahoma, on September 4, 2009. Michelle Hicks seeks dismissal and has granted permission to counsel to dismiss all claims in the aforementioned action. Counsel for defendants has been informed of Plaintiff's intent to dismiss this action.

Dated: January 19, 2011

Respectfully submitted,

**GOLOMB & HONIK, P.C.**

/s/KJG2445

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**CERTIFICATE OF SERVICE**

I, HEREBY CERTIFY that on this 19th day of January, 2011 a true and correct copy of the foregoing was served via ECF filing to all counsel of record.

/s/ KJG2445

**KENNETH J. GRUNFELD**